

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)
U.S. Department of the Interior Bureau of Land Management
Grand Junction Field Office, Colorado
AT&T Horse Canyon Road ROW
DOI-BLM-CO-130-2014-0025-DNA

A. Purpose and Need: The purpose of the action is to provide New Cingular Wireless PCS, a wholly owned subsidiary of AT&T Corp., the opportunity for road access to install a communication tower on private land. The need for action is established by the BLM's responsibility under FLPMA to respond to requests for right-of-way (ROW) grants for legal access to private land.

B. Proposed Action: New Cingular Wireless is proposing to construct a 150' tower on private land above Debeque Canyon. The proposed tower is intended to fill service gap areas along the length of Debeque Canyon. In order to reach the proposed location of the tower, New Cingular must cross BLM administered lands. The existing road, most of which is known as Horse Canyon Road, is approximately 6-7 miles long, and although a vast majority of the road is located on private land, there are three sections of the road (approximately 1900') that cross federal land.

The primary objective is to issue a right of way grant which will allow New Cingular Wireless access on an existing road over BLM lands in order to construct and maintain a communication tower located on private land.

See Figure 1. Map of project areas.

C. Land Use Plan (LUP) Conformance

The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

LUP Name: Grand Junction Resource Area RMP

Date Approved: January 1987

Decision Number/Page: Chapter 2, Page 29

- Decision Language: To respond, in a timely manner, to requests for utility authorizations on public land while considering environmental, social, economic and interagency concerns.

D. Identify applicable NEPA documents and other related documents that cover the proposed action.

Name of Document: CO-GJFO-01-96-EA.

Date Approved: December 17, 2001

E. NEPA Adequacy Criteria

1. Is the current proposed action largely the same action (or a part of the same action) that was previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document? Yes. The Right of Way to be issued involves the same existing road, but encompasses only 1890' of the approximate 8900' previously analyzed in the 2001 EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values? The proposed action areas have the same environmental concerns, interests, and resource values as the areas analyzed in the existing EA. The proposed action falls within the range of alternatives provided in the original EA.

3. Is the existing analysis valid in light of any new information or circumstances? Yes. There are no changes in circumstances or information that would result in impacts that were not analyzed in the existing EA.

4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action? Yes. The right of way is within the analysis area for the referenced EA and the methodology and analytical approach used in the existing EA would be the same if a new EA was written.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?

Yes. The direct and indirect impacts of the proposed action are the same as those identified in the existing EA, but the area of concern encompasses substantially less area than that in the original EA.

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?
The cumulative impacts resulting from the implementation of this proposal are limited and remain substantially unchanged from the existing EA.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes

REMARKS:

See referenced Environmental Assessment CO-GJFO-01-96-EA

NAME OF ENVIRONMENTAL COORDINATOR: Christina Stark

DATE: 6/16/14

Conclusion

X Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL:


Grand Junction Field Manager

DATE SIGNED: 6-17-14

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

The following mitigation measures are also part of the Proposed Action:

1. The ROW shall follow the existing road. All road maintenance activities shall take place within the disturbed width of the existing road. The existing limits of road maintenance shall be flagged as needed to prevent disturbance outside of the presently disturbed area.
2. The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts or fossils. The operator will immediately bring to the attention of the Grand Junction Field Office Manager any and all antiquities or other objects of historic or scientific interest including, but not limited to, historic or prehistoric ruins, artifacts or fossils discovered as a result of operations under this permit. The operator will immediately suspend all activities in the area of the object and leave such discoveries intact until told to proceed by the Field Manager. Notice to proceed will be based upon evaluation of the cultural significance of the object. Evaluation will be by a qualified professional selected by the Field Manager from a Federal agency insofar as practical. When not practical, the operator will follow the mitigation requirements set forth by the Field Manager concerning protection, preservation or disposition of any sites or material discovered. Within 5 working days the Field Manager will inform the operator as to:

whether the materials appear eligible for the National Register of Historic Places;

the mitigation measure(s) the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,

a time frame for the Field Manager to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Field Manager are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Field Manager will assume responsibility for whatever recordation and stabilization of the exposed material may be required. Otherwise, in those situations where the Field Manager determines that mitigation, data recovery and/or salvage excavations are necessary, the operator will bear the cost. The Field Manager will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Field Manager that the required mitigation has been completed, the operator will then be allowed to resume construction.

3. The operator shall maintain the existing road in as good or better condition during and immediately following New Cingular use. It is the holder's responsibility to coordinate with all other rights-of-way holders to make sure that any conflicts are resolved. This includes but is not limited to the Mesa County Road Department, Grand Valley Rural Power, Black Hills Plateau Production, Colorado Dept. of Transportation, Public Service Company of Colorado, the Horse Canyon Road Users Association and other affected landowners.

4. All road maintenance equipment shall be washed clean and weed seed free prior to moving equipment on public lands and performing road maintenance activities.
5. Trash shall be confined in a covered container while the project is in progress. Upon completion, all trash, flagging, laths, etc. shall be removed and hauled to an authorized sanitary landfill. No burning of trash, trees, brush or any other material shall be allowed.
6. The holder shall comply with all County resolutions, regulations and permit requirements.
7. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. The holder shall comply with the Toxic Substance Control Act of 1976, as amended (15 U.S.C. 2601 et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way (see 40 CFR, Part 702-799). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 43 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
8. The holder shall comply with the applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
9. The holder shall request a preconstruction conference with the authorized officer at least ten days prior to commencement of any construction under this grant. The contact person is Oneita Potter at the Grand Junction Field Office, phone 970-244-3036. One purpose of this meeting is to determine if special construction, vehicle turnouts, water bars, culverts or erosion control measures will be necessary. The holder shall be required to comply with any such measures determined to be necessary by the authorized officer.